

**Finding of No Significant Impact (FONSI)
for DOI-BLM-CA-N070-2009-0006-EA
Nut Mountain Allotment
10 Year Grazing Authorization**

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-CA-N070-2009-0006-EA) analyzing the impacts of authorizing grazing on the Nut Mountain Allotment (#01010) for the next ten years.

The EA analyzes (3) alternatives from which I have selected Alternative 1 (Proposed Action).

1. Alternative 1, the selected alternative, is described on pgs. 13-21 of the revised EA and consists of:

The BLM proposes to continue authorizing grazing on the Nut Mountain Allotment (#01010) for the next ten years.

The Proposed Action includes a revised grazing system and the construction of 4 essential range improvement projects. It also includes additional terms and conditions and the establishment of Desired Plant Communities (DPCs) for major ecological sites.

The proposed action addresses the underlying need for the proposal and accomplishes the following objectives:

These objectives were developed from the Surprise Field Office Resource Management Plan (RMP) and Record of Decision, April 2008, and Standards and Guidelines (S&Gs).

Objective 1: Sustainable, ecologically sound, and economically viable livestock grazing opportunities would be provided, where suitable, in the Surprise Field Office management area.

Objective 2: Adequate forage would be produced to support sustainable levels of livestock grazing where compatible with objectives for other resources and resource users.

Objective 3: Continue to modify and adjust grazing management within individual grazing allotments to ensure that a vigorous plant community is sustained in combination with livestock grazing.

Objective 4: Ensure that the natural distribution, variety, and abundance of native plants, plant communities, and associations are restored and native plants and ecosystems remain healthy throughout their range.

Objective 5: Restore degraded landscapes, especially shrub lands dominated by exotic

annual grasses, perennial grasslands choked with brush, and decadent mountain big sagebrush.

Objective 6: Ensure that vegetation provides sufficient forage, water, and cover (thermal and escape) for wildlife.

Objective 7: Eliminate encroachment and significantly reduce invasive juniper in order to restore shrub-steppe, aspen, riparian, and mountain mahogany plant associations. However, maintain ecosystem integrity in natural juniper woodlands.

Objective 8: Achieve healthy and productive wetland and riparian habitats through measures that will restore and protect riparian vegetation, and achieve habitat diversity and hydrologic stability.

Objective 9: Produce healthy aspen stands (upland and riparian) through measures that will promote regeneration and growth, and create size and age class diversity. Restore and maintain ecosystem integrity and productivity in natural mountain mahogany woodlands.

Objective 10: Manage critical habitats of endangered and threatened wildlife according to recovery plans or habitat management plans.

PLAN CONFORMANCE AND CONSISTENCY:

The Proposed Action is subject to and conforms with the “Surprise Field Office Resource Management Plan (RMP) and Record of Decision, April 2008. The RMP supports the proposed authorized use in the Nut Mountain Allotment as identified in Section 2.8.5 (p. 2-35)”:

Livestock grazing would be available on 49 allotments (1,445,443 acres). The Surprise Field Office would continue to authorize approximately 92,465 AUMs of livestock use annually. Review of existing permitted use-levels (AUMs) would be conducted on individual allotments through assessment of existing activity plans (allotment management plans, livestock grazing decisions, habitat management plans, watershed management plans, biological opinions, multiple-use decisions). Decisions regarding adjustments to existing levels of use, forage allocation, allotment boundaries, and changes to management level categories would be made at the activity plan level. When additional forage becomes available on a sustained yield basis, suspended AUMs can be appointed to permittees.

The action is also in accordance with 43 CFR 4100 and to be consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:

Based upon a review of the attached EA and the supporting documents, I have determined that Alternative 1, the Proposed Action, is not a major federal action having a significant effect on the human environment, individually or cumulatively with other actions in the general area. For this

reason no environmental impact statement needs to be prepared. This finding is based on the following rationale and discussion of context and intensity of the action.

Rationale:

Following is the rationale for why the selected Action discussed in the EA will not significantly affect the resources present in the Nut Mountain Allotment.

Cultural Resources

Cultural resources are predicted or known to occur within the allotment.

There have been 28 archaeological inventories, totaling 13,360 acres, conducted on the Nut Mountain Allotment. The inventories were in preparation for the Cowhead/Massacre Planning Unit, Environmental Impact Statement, range improvement projects, and a land exchange. There were 246 prehistoric archaeological sites that were recorded during the inventories. The sites are associated with a number of activities such as, long-term occupation associated with lake shore resources, hunting and game processing, temporary resource processing, Petroglyphs, tool stone quarries, and the making of tools. National Register of Historic Places (NRHP) eligibility determinations have not been formally made on any of the 246 sites. However, three areas appear to be eligible to the National Register of Historic Places as districts. The potentially eligible districts contain a total of 45 sites. In addition, four individual archaeological sites appear to be NRHP eligible. An enclosure was built within the Nut Mountain Allotment in 1984 to protect a NRHP eligible archaeological district, which contains 24 prehistoric sites.

In preparation for the EA, sites potentially eligible for listing on the NHRP were assessed for impacts from current range management activities. Three of the sites have been severely affected by the development of the water sources and are continuing to receive cattle impacts. Range management activities do not appear to be affecting the five remaining sites due to the nature of the sites and the soils in which they are located.

The condition of the remainder of the previously recorded sites within the Nut Mountain Allotment is unknown at this time. The remaining sites within the Nut Mountain Allotment will be assessed in 2015 in accordance with the Supplemental Procedures Developed for the Livestock Grazing Permit Renewals, an Amendment to the Protocol between the Bureau of Land Management and the California and Nevada State Historic Preservation Offices. In accordance with the protocol the permit may be renewed prior to the cultural resource assessment being completed.

Sage-grouse habitat

The Greater sage-grouse (*Centrocercus urophasianus*) is found within the allotment and is considered a BLM sensitive species. Two active sage grouse leks (strutting grounds) are known to exist within the allotment. Sage-grouse are known to use the allotment for breeding and brood rearing, with adult and young sage-grouse or their sign often seen at several locations. Sage-grouse use within the allotment is considered yearlong. Livestock grazing within the SFO is managed in compliance with land health standards and livestock grazing standards and guidelines. Compliance with these standards, among other objectives, is designed to minimize adverse effects to sage-grouse and other wildlife species. In addition,

the use areas are managed following guidelines from the Conservation Strategy for Sage-Grouse (*Centrocercus urophasianus*) and Sagebrush Ecosystems within the Vya Population Management Unit (Northeast California Sage-Grouse Working Group, 2006).

Wilderness

The Massacre Rim Wilderness Study Area (WSA) and the Massacre Rim Area of Critical Environmental Concern (ACEC) are located in the northern portion of the allotment. The southern-most portion of the allotment includes 11,915 acres of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (NCA); and 3,505 acres of the East Fork High Rock Canyon Wilderness Area.

Wild Horses

Two Herd Management Areas (HMAs) are within the boundaries of the Nut Mountain Allotment. The Nut Mountain HMA lies entirely within the allotment south of NV road # 8A; a portion of the Bitner HMA lies within the allotment north of NV road # 8A. The Appropriate Management Level (AML) for Bitner HMA is 20 horses, and the AML for Nut Mountain is 55 horses.

Resource(s)/Concerns discussed but Eliminated as an Issue

Eleven resources and/or potential concerns were identified during internal and external scoping. These are listed and discussed in Chapter 3 of the EA, starting on pg. 24. I have reviewed the rationale provided for each resource or concern and support their elimination as an issue.

Context: The proposed action is in a project area involving a grazing allotment with five pastures totaling approximately of 63,953 acres of BLM administered public land that by itself does not have international, national, regional, or state-wide importance, but on a local level it is important to the local economy and public land health.

Intensity: The following discussion is based on the relevant factors that should be considered in evaluating intensity as described in 43 CFR 4100:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

I have determined that none of the direct, indirect or cumulative impacts associated with the selected alternative are significant, individually or combined.

2. The degree to which the selected alternative will affect public health or safety.

The proposed action is located within a rural setting. Grazing at similar levels as described in the selected alternative has occurred in the same location for over 30 years in combination with other human activities (OHV, hunting, hiking). Since grazing has been authorized within the affected area there have been no known instances where public health or safety has been affected or a conflict has occurred.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

A discussion of these unique geographic areas and anticipated environmental issues is located in Chapter 3 of the EA, starting on pg. 24. The unique characteristics associated with the Nut Mountain Allotment were analyzed in the EA. Based on the EA and above rationale I have determined that the selected alternative will not have a significant impact on the unique characteristics within affected area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Scoping for the proposed action and background information was sent to known affected and interested publics. After review of the comments and issues identified from the scoping process and those analyzed in the EA, I have determined that the effects described in the EA are not highly controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Grazing is a widespread action authorized by the BLM, the effects from which have been thoroughly analyzed in NEPA documents, including the recent RMP, and scientific publications. The analysis provided in the attached EA does not indicate that this action would involve any unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The issuance of a grazing permit is not precedent setting. Grazing has been authorized on the allotment since the allotments' establishment.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.

A cumulative effects analysis was conducted as part of the EA, and it determined that there were no cumulatively significant effects associated with the selected alternative.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The action will not adversely affect National Register of Historic Places sites or cause loss or destruction of significant scientific, cultural, or historic resources. Mitigation measures for managing sites that are determined to be impacted by grazing may include: fencing, relocation of improvements, removal of natural attractants for livestock from archaeological sites, removal

of the archaeological site(s) from the allotment, livestock herding away from cultural resource sites, using salt to move livestock away from cultural resource areas.

Additional management practices may be developed after consultation with the State Historic Preservation Office. Implementation of grazing under Alternative 1 will likely help stabilize existing sites through improving the vigor of perennial vegetation and by allowing litter accumulation.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.

The action does not adversely affect any endangered or threatened species, or its habitat that has been determined to be critical under the ESA.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where nonfederal requirements are consistent with federal requirements.

The action does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.

Shane DeForest, Field Manager

Date